

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS WELFARE AND)
PENSION FUNDS,)

Plaintiffs,)

v.)

MAC 1, INC., an Illinois corporation,)
and LYNELL MCCALLUM, Individually,)

Defendants.)

No. 2012 C 9028

Judge Feinerman

Magistrate Judge Schenkier

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS, by and through their attorneys, JOHN J. TOOMEY, and ARNOLD AND KADJAN, and, pursuant to FRCP 55, move for entry of judgment in sum certain. In support of their Motion, Plaintiffs state as follows:

1. Suit was filed on November 9, 2012 for collection of delinquent ERISA contributions, plus attorneys' fees, costs, and interest, under 29 U.S.C. 1132(g)(2).
2. Service was made upon Mac 1, Inc., an Illinois corporation, on November 30, 2012, and a copy of the proof of service was filed with the court on December 3, 2012.
3. Service was made upon Lynell McCallum, Individually, on November 30, 2012, and a copy of the proof of service was filed with the court on December 3, 2012.
4. More than 21 days have passed without any response to the Complaint by Defendants, so that Defendants are now in default.

5. As supported by the attached Affidavits, the sums due on the Complaint are:

\$4,570.25 Pension Installment Note
\$5,299.15 Welfare Installment note
\$925.00 Attorneys fees
\$456.00 Court costs
\$11,250.40

WHEREFORE, Plaintiffs pray for the entry of an order:

- A. Finding Defendants, MAC 1, INC., an Illinois corporation and LYNELL MCCALLUM, Individually, in default; and
- B. Awarding judgment in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$11,250.40, jointly and severally, against MAC 1, INC., an Illinois corporation and LYNELL MCCALLUM, Individually.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

s/John J. Toomey
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Dated: January 4, 2013